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VENTURA SUPERIOR COURT
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VENTURA
SUPERIOR COURT
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FEB 26 2019

MICHAEL D. PLANET
Executive Officer and Clerk

By: M. SOTO, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF VENTURA
MAIN COURTHOUSE – HALL OF JUSTICE

VENTURA COUNTY DEPUTY SHERIFFS'
ASSOCIATION

Petitioner/Plaintiff,

vs.

COUNTY OF VENTURA; BILL AYUB,
Sheriff of Ventura County Sheriff's Office;
and DOES 1 through 20, inclusive,

Respondents/Defendants.

CASE NO. 56-2019-00523492-CU-WM-
VTA

~~[PROPOSED]~~ PRELIMINARY
INJUNCTION

By FAX

[UNLIMITED CIVIL ACTION]

The application for a Preliminary Injunction by Petitioner/Plaintiff Ventura County Deputy Sheriffs' Association came on for hearing on February 11, 2019 at 9:30 a.m. in Department 42 in the above-entitled Court before the Honorable Henry Walsh. The Petitioner/Plaintiff Ventura County Deputy Sheriffs' Association was represented by Richard A. Levine Esq. and Brian P. Ross Esq. of Rains Lucia Stern St. Phalle & Silver PC. Respondents/Defendants County of Ventura and Bill Ayub, Sheriff of Ventura County Sheriff's Office were represented by Emily Gardner, Assistant County Counsel. Upon review of the files and opportunity for oral argument, the Court granted the Preliminary Injunction as

1 follows:

2 IT IS HEREBY ORDERED that during the pendency of the above-entitled action or
3 until further Court order, Respondents/Defendants County of Ventura and Bill Ayub, Sheriff of
4 Ventura County Sheriff's Office and their agents, employees and representatives are hereby
5 enjoined and restrained from enforcing or applying Senate Bill 1421's amendments to
6 California Penal Code Sections 832.7 and 832.8 in any manner which would result in the
7 disclosure or production of peace officer personnel records and information regarding incidents
8 or reflecting conduct occurring prior to January 1, 2019 that would not have otherwise been
9 subject to disclosure prior to January 1, 2019.

10 IT IS FURTHER ORDERED that during the period of the Preliminary Injunction
11 Respondents/Defendants are not to destroy peace officer personnel records and information
12 regarding incidents or reflecting conduct occurring prior to January 1, 2019 that would not have
13 otherwise been subject to disclosure prior to January 1, 2019.

14 The above Preliminary Injunction shall issue and become effective upon
15 Petitioner/Plaintiff depositing an undertaking in the amount of \$1.00 with the Clerk of the
16 Court.

17
18 Date: 2/21/19

HENRY J. WALSH
JUDGE OF THE SUPERIOR COURT

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26 Approved as to form:

27 Dated: 2/15/19

Emily Gardner
Emily Gardner, Assistant County Counsel

1 **PROOF OF SERVICE**

2 I am employed in the City of Santa Monica, State of California. I am over 18 years of
3 age and not a party to this action. My business address is Rains Lucia Stern St. Phalle & Silver,
PC, 1428 2nd Street, Suite 200, Santa Monica, CA 90401.

4 On the date below I served a true copy of the following document(s):

5 **PRELIMINARY INJUNCTION**

6 on the interested parties to said action by the following means:

- 7 ☒ **(BY MAIL)** By placing a true copy of the above, enclosed in a sealed envelope with
8 appropriate postage, for collection and mailing following our ordinary business
9 practices. I am readily familiar with this business's practice for collecting and
10 processing correspondence for mailing. On the same day that the correspondence is
placed for collection and mailing, it is deposited in the ordinary course of business
with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- 11 ☐ **(BY OVERNIGHT DELIVERY)** By placing a true copy of the above, enclosed in a
12 sealed envelope with delivery charges to be billed to Rains Lucia Stern St. Phalle &
Silver, P.C., for delivery by an overnight delivery service to the address(es) shown
below.
- 13 ☐ **(BY FACSIMILE TRANSMISSION)** By transmitting a true copy of the above by
14 facsimile transmission from facsimile number (310) 393-1486 to the attorney(s) or
party(ies) shown below.
- 15 ☐ **(BY MESSENGER)** By placing a true copy of the above in a sealed envelope and by
16 giving said envelope to an employee of First Legal for guaranteed, same-day delivery
to the address(es) shown below.
- 17 ☐ **(BY HAND DELIVERY)** By personal delivery of a true copy of the above to the
attorneys or parties shown below
- 18 ☐ **(BY E-MAIL or ELECTRONIC TRANSMISSION)** Based on a court order or an
19 agreement of the parties to accept service by e-mail or electronic transmission, I caused
the documents to be sent to the persons at the e-mail addresses listed below. I did not
20 receive, within a reasonable period of time, after the transmission, any electronic
message or other indication that the transmission was unsuccessful.

21
22 I declare under penalty of perjury under the law of the State of California that the
foregoing is true and correct.

23 DATED: February 28, 2019

24 _____
MICHELE R. HENGESBACH

SERVICE LIST

1
2
3 Leroy Smith, County Counsel
4 Emily T. Gardner, Assistant County Counsel
5 800 South Victoria Avenue, L/C #1830
6 Ventura CA 93009-1830
7 Tele: (805) 654-2593
8 Fax: (805) 654-2185
9 E-Mail: matthew.smith@ventura.org
10 emily.gardner@ventura.org
11
12 Thomas R. Burke
13 Davis Wright Tremaine LLP
14 505 Montgomery Street, Suite 800
15 San Francisco CA 94111
16 Tele: (415) 276-65600
17 Fax: (415) 276-6599
18 Email: thomasburke@dwt.com
19
20 David E. Snyder
21 First Amendment Coalition
22 534 Fourth Street, Suite B
23 San Rafael CA 94901
24 Tele: (415) 460-5060
25 Fax: (415) 460-5155
26 dsnyder@firstamendmentcoalition.org
27
28 Todd W. Howeth, Public Defender
Michael C. McMahon, Senior Deputy Public Defender
County of Ventura
800 South Victoria Avenue
Ventura CA 93009
Tele: 805-477-7114
writsandappeals@ventura.org

